

UNITED STATES DISTRICT COURT
for the

Southern District of New York



United States of America

v

Thomas Poli

Date of Original Judgment: 07/06/2023

Date of Previous Amended Judgment:
(Use Date of Last Amended Judgment if Any)

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of the defendant the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

DENIED. GRANTED and the defendant's previously imposed sentence of imprisonment (*as reflected in the last judgment issued*) of **months is reduced to** .

(See Page 2 for additional parts. Complete Parts I and II of Page 2 when motion is granted)

The defendant does not qualify for a two-level reduction under Section 4C1.1 of the Guidelines provided by Amendment 821 because he used violence or threats of violence in connection with the offense, which disqualifies him for a reduction under Section 4C1.1(a)(3).

Moreover, even if his offense level were decreased by two levels from 20 to 18, the Court's sentence of 22 months' imprisonment would still be less than the reduced Guidelines range of 27-33 months.

Except as otherwise provided, all provisions of the judgment dated 07/06/2023 shall remain in effect.

IT IS SO ORDERED.

Order Date: 3/11/24

Effective Date: _____
(if different from order date)

J. G. Koeltz .
Judge's signature
JOHN G. KOELTZ, U.S.D.J.
Printed name and title